

110 STAT.
2008

PUBLIC LAW 104-191—AUG.
21, 1996

Federal
Register,
publication

(3) ~~TARGET DATE FOR PUBLICATION OF~~
RULE.—As part of
the notice under paragraph (2), and for
purposes of this sub-
section, the "target date for publication"
(referred to in section
564(a)(5) of such title) shall be January
1, 1997.

(4) ~~ABBREVIATED PERIOD FOR SUBMISSION~~
~~OF COMMENTS.~~
In applying section 564(c) of such title under
this subsection,
"15 days" shall be substituted for "30 days".

(5) ~~APPOINTMENT OF NEGOTIATED~~
~~RULEMAKING COMMITTEE~~
~~AND FACILITATOR.~~—The Secretary shall provide
for—

42 USC
1320a-
7b note.

(A) the appointment of a
negotiated ~~rulemaking~~
committee under section 565(a) of
such title by not later
than 30 days after the end of the
comment period provided
for under section 564(c) of such title
(as shortened under
paragraph (4)), and

(B) the nomination of a facilitator
under section 566(c)
of such title by not later than 10
days after the date
of appointment of the committee.

(6) ~~PRELIMINARY COMMITTEE REPORT.~~—The
negotiated rule-
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the committee reports that the committee has failed to make significant progress toward such consensus or is unlikely to reach such consensus by the target date, the Secretary may terminate such process and provide for the publication of a rule under this subsection through such other methods as the Secretary may provide.

(6) FINAL COMMITTEE REPORT.—If the committee is not terminated under paragraph (6), the rulemaking committee shall submit a report containing a proposed rule by not later than one month before the target publication date.

(7) INTERIM. FINAL EFFECT.—The Secretary shall publish a rule under this subsection in the Federal Register by not later than the target publication date. Such rule shall be effective and final immediately on an interim basis, but is subject to change and revision after public notice and opportunity for a period (of not less than 60 days) for public comment. In connection with such rule, the Secretary shall specify the process for the timely review and approval of applications of entities to be certified as provider-sponsored organizations pursuant to such rules and consistent with this subsection.

(8) PUBLICATION OF RULE AFTER PUBLIC COMMENT.—The Secretary shall provide for consideration of such comments and republication of such rule by not later than 1 year after the target publication date.

(c) EFFECTIVE DATE.—The amendments made by this subsection (a) shall apply to written agreements entered into on or after January 1, 1997, without regard to whether regulations have been issued to implement such amendments.

SEC. 217. CRIMINAL PENALTY FOR FRAUDULENT DISPOSITION OF ASSETS IN ORDER TO OBTAIN MEDICAL BENEFITS.

Section 1128B(a) (42 U.S.C. 1320a-7b(a)) is amended—

(9) by striking "or" at the end of paragraph (4);

(10) by adding "or" at the end of paragraph (5); and